

American jobs lost to off-shore competition, long-term funding of the Social Security system, and a seemingly irreversible pattern of increasing illegal immigration. A significant opportunity for political action that begins to address all of these challenges is within reach.

That opportunity, if taken, will strengthen American labor-intensive agriculture and ensure its future role as a major U.S. export industry. A growing agriculture sector will keep jobs in America, because studies show that every laborer in production agriculture generates 3.5 additional jobs in related businesses. The workers in all these jobs will be participants in the Social Security system that is dependent upon a large workforce. Perhaps most significantly, reputable studies confirm that the best solution for stemming the tide of illegal immigration is guest worker programs that function.

Government statistics and other evidence suggest that at least 50 percent and perhaps 70 percent of the current agricultural workforce is not in this country legally. The immediate reaction of some is to say that these workers have broken the law and should be deported, and that U.S. farmers would not have a labor problem if wages were increased.

That "easy" answer ignores the reality that few Americans are drawn to highly seasonal and physically demanding work in agriculture. At chaotic harvest times, a stable, dependable workforce is essential. My experience over many years tells me that agricultural employers do not want to hire illegal immigrants. What they want is a stable, viable program with integrity that will meet their labor force needs in a timely, effective way. What they do not want is a program with major shortcomings, for which they will inevitably be blamed. Unfortunately, that is what our laws have imposed upon them.

As a Nation, we can and must do better—for agricultural employers, for immigrant workers, and as insurance to secure a strong agriculture business sector. Many of these workers have come to the U.S. on a regular basis. Many have lived here for years doing our toughest jobs, and some would like to earn the privilege of living here permanently. Why not permit them to do so, over a specified timeframe, thereby keeping the best workers here? That has the additional advantage of permitting our government to better focus its limited monitoring/enforcement resources, particularly where security may be a concern. Let's use entry/exit tracking, tamper proof documentation, biometric identification, etc. where it will truly pay security dividends, and let's stop painting all immigrants with the same brush.

A limited, earned legalization for agriculture is nothing like an amnesty program. It would apply only to immigrants who are at work, paying taxes, and are willing to earn their way to citizenship so that they too can share in the American dream. These workers form the foundation of much of our Nation's agricultural workforce. We need them!

Agricultural employers need an updated guest work program to replace the antiquated "H2A" temporary worker system, which is too expensive and too bureaucratic to be of practical use. Necessary reforms include fair and stronger security and identification measures, market-based wage rates, and comprehensive application procedures.

The reform program I have outlined already has broad bipartisan support, thanks to the good work and leadership of Senators LARRY CRAIG and TED KENNEDY, among others, and a bipartisan group of House colleagues. Their approach deserves immediate and serious consideration by the Senate. The

status quo is simply unacceptable. The reforms now being proposed are a practical solution to a serious problem that is a genuine threat to the future of American agriculture.

As President Bush has stated, we can and must do better to match a willing and hard-working immigrant worker with producers who are in desperate need of a lawful workforce. It is in our great country's interest to enact these reforms and reap the harvest of political action at a special moment in time.

Sincerely,

CLAYTON YEUTTER,  
*Former Secretary of Agriculture and  
Former U.S. Trade Representative.*

APRIL 11, 2005.

DEAR MEMBER OF CONGRESS: The undersigned organizations and individuals, representing a broad cross-section of America, join together to ask you to support enactment of S. 359 and H.R. 884, the Agricultural Job Opportunities, Benefits and Security Act of 2005 (AgJOBS). This landmark bipartisan legislation would achieve historic reforms to our nation's labor and immigration laws as they pertain to agriculture. The legislation reflects years of negotiations on complex and contentious issues among employer and worker representatives and leaders in Congress.

A growing number of our leaders in Congress, as well as the President, recognize that our nation's immigration policy is flawed and that, from virtually every perspective, the status quo is untenable. America needs reforms that are compassionate, realistic and economically sensible—reforms that also enhance the rule of law and contribute to national security. AgJOBS represents the coming together of historic adversaries in a rare opportunity to achieve reforms supportive of these goals, as well as our nation's agricultural productivity and food security.

AgJOBS represents a balanced solution for American agriculture, a critical element of a comprehensive solution, and one that can be enacted now with broad bipartisan support. For these reasons, we join together to encourage the Congress to enact promptly S. 359 and H.R. 884, the Agricultural Job Opportunities, Benefits, and Security Act of 2005.

Thank you.

The PRESIDING OFFICER. The Senator from Mississippi.

AMENDMENT NO. 496

Mr. COCHRAN. Mr. President, I have requests to make in behalf of the managers of the bill with respect to amendments that have been cleared on both sides of the aisle.

I call up amendment No. 496 on behalf of Mr. REID of Nevada which is technical in nature.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN] for Mr. REID, proposes an amendment numbered 496.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend title XVIII of the Social Security Act to make a technical correction regarding the entities eligible to participate in the Health Care Infrastructure Improvement Program, and for other purposes)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ TECHNICAL CORRECTION TO THE MEDICARE HEALTH CARE INFRASTRUCTURE IMPROVEMENT PROGRAM.**

(a) IN GENERAL.—Section 1897(c) of the Social Security Act (42 U.S.C. 1395hhh(c)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting "or an entity described in paragraph (3)" after "means a hospital"; and

(B) in subparagraph (B)—

(i) by inserting "legislature" after "State" the first place it appears; and

(ii) by inserting "and such designation by the State legislature occurred prior to December 8, 2003" before the period at the end; and

(2) by adding at the end the following new paragraph:

"(3) ENTITY DESCRIBED.—An entity described in this paragraph is an entity that—

"(A) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

"(B) has at least 1 existing memorandum of understanding or affiliation agreement with a hospital located in the State in which the entity is located; and

"(C) retains clinical outpatient treatment for cancer on site as well as lab research and education and outreach for cancer in the same facility."

(b) LIMITATION ON REVIEW.—Section 1897 of the Social Security Act (42 U.S.C. 1395hhh(c)) is amended by adding at the end the following new subsection:

"(i) LIMITATION ON REVIEW.—There shall be no administrative or judicial review of any determination made by the Secretary under this section."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 1016 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 117 Stat. 2447).

Mr. COCHRAN. Mr. President, I think we can have a voice vote on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 496) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 473

Mr. COCHRAN. Mr. President, I call up amendment No. 473 on my own behalf regarding the business and industry loan program.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN] proposes an amendment numbered 473.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To limit the use of funds to deny the provision of certain business and industry direct and guaranteed loans)

On page 231, between lines 3 and 4, insert the following:

SEC. 6047. None of the funds made available by this or any other Act may be used to deny